

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Hirofumi Takei) : Examiner: Helen Shibru
Application No.: 10/701,504) : Group Art Unit: 2621
Filed: November 6, 2003) : Confirmation No.: 7646
For: IMAGE PROCESSING) :
APPARATUS AND METHOD : April 30, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND

Sir:

Applicant requests a refund of \$130.00 for an extension fee, which was erroneously charged to our Deposit Account 06-1205. It is requested that the refund be applied as a credit to that Deposit Account. The reason for the refund is explained below.

On Wednesday, January 21, 2009, Applicant submitted an Amendment in response to the October 20, 2008 Official Action. Applicant submits that the Amendment was filed in a timely manner, with *no extension fee being due because Tuesday, January 20, 2009, was Inauguration Day, and the U.S. Patent and Trademark Office was closed on that date*, making the due date for filing the Amendment, Wednesday, January 21, 2009.

Applicant's attorneys received a Monthly Statement of Deposit Account dated March 2009 (redacted copy attached) indicating that Deposit Account No. 06-1205 was charged \$130.00. It is respectfully submitted that this charge is not warranted.

Accordingly, Applicant hereby requests a refund and authorizes the Commissioner to credit Deposit Account No. 06-1205 in the amount of \$130.00 to resolve this matter.

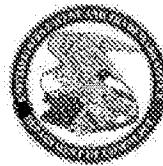
Applicants' undersigned attorney may be reached in our D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address given below.

Respectfully submitted,

/Daniel S. Glueck/
Daniel S. Glueck
Attorney for Applicant
Registration No. 37,838

FITZPATRICK, CELLA, HARPER & SCINTO
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FCHS_WS 3053947v2



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Deposit Account Statement

Requested Statement Month: March 2009
Deposit Account Number: 061205
Name: FITZPATRICK CELLA HARPER & SCINTO
Attention:
Street Address 1: 30 ROCKEFELLER PLAZA
Street Address 2:
City: NEW YORK
State: NY
Zip: 10112-3801
Country: UNITED STATES

DATE SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
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REDACTED

03/12/2	10701504	00862.023295.	1251	\$130.00	\$46,533.78
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REDACTED